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VIA CM/ECF

November 4, 2019

The Honorable Paul W. Grimm
U.S. District Court for the District of Maryland
6500 Cherrywood Lane, Suite 465A
Greenbelt, MD 20770

Re: *American Academy of Pediatrics v. FDA*, No. 8:18-cv-00883-PWG

Dear Judge Grimm:

On behalf of the intervenor trade associations, we ask that the Court address an outstanding procedural issue – entry of a final judgment pursuant to Fed. R. Civ. P. 58.

The docket does not contain a separate document entering final judgment. In this Court's October 2, 2019 Order (Doc. #154), which granted the trade associations' motion to intervene for the purpose of appealing the Merits Decision (Doc. #73) and Remedies Order (Doc. #127), the Court stated "[c]ertainly, litigation in this Court has concluded with the issuance of a final judgment." Oct. 2, 2019 Order at 3 (citing the Merits Decision and Remedies Order); *see also id.* at 6 ("Further, a final judgment has been entered in this case."). While these statements indicate that the Court believed that a final judgment had been entered, there is no separate docket entry clearly indicating as such. Accordingly, so that there is no confusion on appeal, we respectfully request that this Court set out a final judgment in a separate document pursuant to Fed. R. Civ. P. 58 or otherwise formally confirm such a judgment has been entered.

We greatly appreciate the Court's attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric P. Gotting', written in a cursive style.

Eric P. Gotting